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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,371	08/13/2001	Heiko Dassow	2345/161	9518
26646	7590	08/16/2004	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			PESIN, BORIS M	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 08/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/913,371

**Applicant(s)**

DASSOW ET AL.

**Examiner**

Boris Pesin

**Art Unit**

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/30/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This communication is responsive to Amendment A, filed 4/03/2004.
2. Claims 13-26 are pending in this application. Claim 13 is an independent claim. In the Amendment A, Claim 23 was amended. This action is made Non-Final. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Objections***

Claim 19 is objected to because of the following informalities:

There appears to be an extra comma after the word "type" and before "assignment" on the second line of the claim.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

Claims 13, 18, 20, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ebert (US 6278991).

In regards to claim 13, Ebert teaches assigning a window as a graphical user interface to the data structure (i.e. "*an object of this invention [is] to convey data in an efficient manner by displaying the data according to the data's hierarchical structure*" Column 2, Line 27 and Figure 1); inserting hierarchically at least one generic, scalable,

graphical user-interface component in the window, the value tree of the data structure being mapped onto the at least one user-interface component (i.e. *"an object of this invention [is] to convey data in an efficient manner by displaying the data according to the data's hierarchical structure"* Column 2, Line 27 and Figure 1, Ebert teaches creating a graphical representation of a hierarchical data structure. He inserts the graphical user interface component in the window on the screen as shown in Figure 6a); providing that the at least one graphical user interface component is in a recognizable relation to at least one node of the value tree (i.e. Figure 6 Element 618 is in recognizable relation to Element 516); and providing at least one of a graphical representation and a textual representation of the value is selectable for each subtree of the value tree (i.e. Figure 6A, Elements 630, 632, and 634).

In regards to claim 18, Ebert teaches a method wherein the data type, whose exact type assignment can first be determined at execution time in accordance with a late binding principle, is inserted as a dynamically changeable subtree in the value tree represented by the graphical user interface (i.e. Figure 1, Elements 12, 14, 16, and 18).

In regards to claim 20, Ebert teaches a method wherein the value can be transferred from the subtree to another subtree by intermediately storing and clicking on the subtree (i.e. *"In a preferred embodiment, the graphical representation of an object link may be moved from one shelf to another shelf. A user may also move the graphical representation of a cluster object link from one shelf to another shelf, in which case the graphic representations of all the object links associated with that cluster object link also move to the other shelf."* Column 10, Line 7).

In regards to claim 21, Ebert teaches a method implemented by at least one program module that is integratable in an application program. (i.e. *"the invention may be designed as modules that can be implemented in a container"* (Column 4, Line 44).

In regards to claim 22, Ebert does not specifically teach a method wherein additional information to be displayed is storable for each of the at least one node of the value tree which can be uniquely named by a displayed type and a relation to the higher-level type. However, it is inherent in Ebert that additional information for each node (i.e. the name) is storable in the memory.

### ***Claim Rejections - 35 USC § 103***

Claims 14, 15, 16, 17, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebert (US 6278991) in view of Crim (US 5920866).

In regards to claim 14, Ebert teaches all the limitations of claim 13. He does not teach a method for a processing of the value tree, deriving for each node a value list of all of values compatible with respect to assignment with the data types, and selecting one of the value from the value list for each value assignment. Crim teaches, *"Disclosed is a process and apparatus for generating value lists. The operations for generating a value list include providing a first database having a plurality of fields configured to display values that are associated with predefined information types. Preferably a second database having a plurality of fields containing values associated with predefined information types is also provided. Once the databases are provided, one of the plurality of fields in the first database is selected to be associated with a*

*value list. The selected field will preferably have a particular information type, and the value list will preferably contain one or more values that are specific to the particular information type. The process then proceeds to define the value list to contain values from certain fields of the second database.*"(Abstract Line 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert with the teachings of Crim and include a method to generate value lists with the motivation to provide for a more efficient method of creating value lists and increase the users productivity when using the database (Crim, Column 2, Line 34, and Line 43).

In regards to claim 15, Ebert and Crim teach all the limitations of claim 14. Crim does not teach a method wherein, when compiling the value list, the number of the values to be accepted in the list is restricted in accordance with predefined rules depending on the current context. Although Crim does not specifically teach implementing specific rules when creating a value list, he does teach creating a value list from a database. Therefore it is inherent in Crim that rules do apply when creating a list and he restricts values added to the value list based on the total amount of values stored in the appropriate database.

In regards to claim 16, Ebert teaches all the limitations of claim 13. Ebert does not specifically teach a method wherein a visualization of the window is first undertaken at a time of an initialization of the graphical user interface. However it is inherent in Ebert that the visualization of the window is first undertaken at a time on initialization because that is how graphical software works. When an application is started, the visualization of the application is rendered. Ebert does not teach a method wherein

after the window is initialized, at least one of data and the value list is initialized, which are derived for a processing. Crim teaches, "*In this embodiment, the user then selects window 512 and selects 'Define Value List . . . ' 514. By performing this operation, the user has initiated the creation of a new value list.*" (Column 7, Line 60). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert with the teachings of Crim and include a method to initialize a value list after the window has been initialized with the motivation to provide more flexibility to the user in regards to when the value list is initialized.

In regards to claim 17, Ebert and Crim teach all the limitations of claim 14. Ebert does not teach a method wherein value to be represented is transferred in a transfer syntax containing all necessary information for the representation with respect to the data type and the value assignment. Crim teaches, "*An interface card or similar device and appropriate software implemented by the microprocessor 1216 can be used to connect the computer system 1200 to an existing network and transfer data according to standard protocols*" (Column 15, Line 22). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert with the teachings of Crim and include a method to transfer data in a transfer syntax with the motivation to provide for faster access to data if the data is not on the local machine.

In regards to claim 23, Ebert teaches all the limitations of claim 13. Ebert does not teach a method further comprising of continually checking during an inputting of the value of the data type in the value tree to determine whether an input value is permissible for a corresponding data type and to determine whether the input value is



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identical to a currently active value of the corresponding data type; and making known to a user a result of the continually checking. Crim teaches, *"Further, 'Strict: Do not allow user to override validation' 918 prevents users from entering invalid data by not allowing the user to override a validation requirement. 'Display custom message if validation fails' 920 provides a message dialog indicating to the user that the data does not meet a validation requirement. Typically, these dialogs may provide the user with suggestions on entering correct validated data."* (Column 12, line 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert with the teachings of Crim and include a method to validate information with the motivation to provide for more accurate entering of data.

In regards to claim 24, Ebert and Crim teach all the limitations of claim 23. Ebert further teaches a method wherein a display format is alterable when the value is inputted before the value is selected into the value tree (i.e. *"In a preferred embodiment, an attribute of the graphical representation of object link 974 would be altered by the operation described"* Column 10, Line 66).

In regards to claim 26, Ebert and Crim teach all the limitations of claim 24. They do not specifically teach a method wherein a numerical value is displayed as one of a decimal value and a binary value. Official notices is given that it is well known in the art of graphical ser interfaces to show a value as a decimal value. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert and Crim and include a method to show the value as a decimal with the motivation to provide for greater precision when showing the value.

Claims 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ebert (US 6278991) in view of Gardner et al. (US 6701352).

In regards to claim 19, Ebert teaches all the limitations of claim 13. He does not teach a method wherein for the data type, whose exact type assignment is first defined in accordance with a late binding principle at an execution time by marking of another node, a user is prompted to input information as to whether the exact type assignment should be performed one of automatically and following a manual input. Gardner teaches, *"Using dynamic dispatching under OLE, an automation client can invoke a method or manipulate a property of a server component by a late binding mechanism. At run time, the automation client obtains a dispatch identifier from a type library associated with the server component. The dispatch identifier is passed to an "invoke" method of OLE Automation that resolves which method of the server component to call at run time."* (Column 8, Line 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert with the teachings of Gardner and allow for late binding with the motivation to provide for more flexibility in using the application.

In regards to claim 25, Ebert and Gardner teach all the limitations of claim 19. They do not specifically teach a method wherein the marking of the another node includes "ANY DEFINED BY" in a description language ASN.1. Official notice is given that it is well known in the art to mark a node as "ANY DEFINED BY". It would have

been obvious to one of ordinary skill in the art at the time of the invention to modify Ebert and Gardner and include a method to mark a node as "ANY DEFINED BY" with the motivation to provide for more flexibility when executing the application.

### ***Response to Arguments***

Applicant's arguments, see Page 5 and 6, filed 4/30/2004, with respect to Claims 13, 16, 17, 19, 20, 22, 23, and 24 have been fully considered and are persuasive. The *35 USC § 112 first and second paragraph rejections* of Claims 13, 16, 17, 19, 20, 22, 23, and 24 have been withdrawn.

Applicant's arguments with respect to claims 13-26 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments filed 4/30/2004 with respect to claims 13, 18, and 21 have been fully considered but they are not persuasive for the following reasons.

Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

The applicant states that the prior art reference does not appear to identically describe each and every feature of his invention, however nowhere does the applicant mention how the two inventions differ.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (703) 305-8774. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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